

## UNITED STATES DISTRICT COURT

for the  
Eastern District of WashingtonFILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 30, 2024

SEAN F. McAVOY, CLERK

DUSTY D.

Plaintiff

v.

Civil Action No. 1:23-CV-03095-JAG

MARTIN O'MALLEY,  
COMMISSIONER OF SOCIAL SECURITY

Defendant

## JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) \_\_\_\_\_ recover from the  
defendant (*name*) \_\_\_\_\_ the amount of  
\_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment  
interest at the rate of \_\_\_\_\_ %, plus post judgment interest at the rate of \_\_\_\_\_ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_  
\_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_  
\_\_\_\_\_.

☒ other: Plaintiff's Motion to remand, ECF No. 10, is GRANTED. Defendant's Motion to affirm, ECF No. 12, is DENIED.  
The matter is REMANDED to the Commissioner for additional proceedings.  
Judgment for Plaintiff.

This action was (*check one*):

☐ tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has  
rendered a verdict.

☐ tried by Judge \_\_\_\_\_ without a jury and the above decision  
was reached.

☒ decided by Judge JAMES A. GOEKE \_\_\_\_\_ on cross motions for  
Summary Judgment.

Date: 9/30/2024

CLERK OF COURT

SEAN F. McAVOY

s/ Wendy Kirkham

(By) Deputy Clerk

Wendy Kirkham